

#### N THEÆÍNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

LEIBER, J. et al.

Atty. Ref.: 35-224

Serial No. 10/030,474

Group:

Filed: February 20, 2002

Examiner:

For: DATA STORAGE MEDIUM

\* \* \* \* \* \* \* \* \*

April 4, 2002

Assistant Commissioner for Patents Washington, DC 20231

Sir:

## RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371

Responsive to the Notification of Missing Requirements mailed March 27, 2002 (a copy of which is attached), it is respectfully submitted that the executed Declaration and Assignment were filed on February 20, 22002. A copy of the PTO mail room date-stamped postcard indicating receipt of the executed Declaration is attached hereto along with a further copy of the Declaration.

Confirmation of receipt of the executed Declaration is respectfully requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:

Arthur R/Crawford

Reg. No. 25,327

ARC:pfc

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C#/M#: 35-224

Serial No.: 10/030,474

Atty: Arthur R. Crawford

Inventor/s: LEIBER, J. et al.

Date: February 20, 2002

Title: DATA STORAGE MEDIUM

XX

Declaration (

Pages)

XX

Assignment (3 Pages) Including Cover

\$40.00 Fee (Check) - Pre-Bill

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Fee (Check) - Non Pre-Bill

\$40.00 = Total Fee Enclosed

Other:

105 + 2 REF

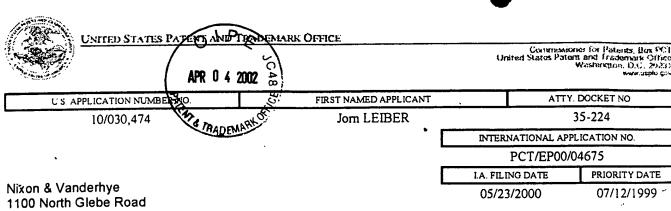
FEB 2 0 2002 PRINTER TO TRADEMARK

FORM PTO	O-1390	U.S. DEPARTMENT OF COMMERCE TENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 35-224				
(REV 11-20	XOCO) 1		U.S. APPLICATION O. (If known, see 37 C.F.R. 1.5)				
TRANSMITTAL LETTER TO THE UNITED STATES							
CONCERNING A FILING UNDER 35 U.S.C. 371							
INTERNA	INTERNATIONAL APPLICATION NO LINTERNATIONAL FILING DATE PRICHITY DATE COMMED 12 July 1999						
	PCT/EP00/046/5 / O 1 & 20002000						
TITLE O	TITLE OF INVENTION APR 0 4 2002 DATA STORAGE MEDIUM						
APPLICANT(S) FOR DO/EOUS  REPORTER  LEIBER, J. et al.							
Applican	nt herewi	th submits to the United States Designated/Elected Office (DO/EO/L	JS) the following items and other information:				
1.	This is	s a FIRST submission of items concerning a filing under 35 U.S.C. 3	71.				
2.	This is	s a SECOND or SUBSEQUENT submission of items concerning a fi	ling under 35 U.S.C. 371.				
3.	— was to have national examination procedures (35 U.S.C. 371(f)). The submission must include						
4. 🗆	The U	J.S. has been elected by the expiration of 19 months from the priority	y date (Article 31).				
		ne International Application as filed (35 U.S.C. 371(c)(2)).					
3. A.	copy o i	is attached hereto (required only if not communicated by the Internal	tional Bureau).				
		has been communicated by the International Bureau.					
	The second as the application was filed in the United States Receiving Office (RO/US).						
6. 🗆	] An Er	nglish language translation of the International Application as filed (3	5 U.S.C. 371(c)(2)).				
<u> </u>		is attached hereto.					
a.		has been previously submitted under 35 U.S.C. 154(d)(4).					
b.	· Li	ndments to the claims of the International Application under PCT Arti	icle 19 (35 U.S.C. 371(c)(3))				
7.		are attached hereto (required only if not communicated by the Intern	national Bureau).				
a.		have been communicated by the International Bureau.					
b.	. 🗆	have not been made; however, the time limit for making such amend	dments has NOT expired.				
I	The seak has a made and will not be made						
l	The state of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).						
8.		ath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).					
	The state of the appears of the International Preliminary Examination Report under PCT						
Ite		To 20 below concern document(s) or information included:					
11.	⊽l Δn In	oformation Disclosure Statement under 37 C.F.R. 1.97 and 1.98.					
	An information obscissor of distinct and a separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.  An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.						
1 _	Compared to the inner amondment						
1 =	The account of SUBSECUENT proliminary amendment.						
	16  A change of power of attorney and/or address letter.						
"	The second state of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.						
_ ا	——————————————————————————————————————						
18. L	19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).						

Other items or information.

U.S. APPLICATION NO. (If kno	wn, see 37 C.F.R	. 1.5)	INTERNATIONAL APPLICAT		A	ποι	35-224	NUMB	ER
10/030 <u>,4</u>	10/030,474 PC1/EP00/04673			CALCULATIONS PTO USE ONLY					
21.   The following fee	M The following fees are submitted:								
BASIC NATIONAL FEE (37 C.F.R. 1:492(a)(1)-(5):  Neither international preliminary examination fee (37 C.F.R. 1.482) nor international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO					040.00				
International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO\$890.00				. 1					
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International preliminary examination loss (37 C.F.R. 1.445(a)(2)) paid to USPTO									
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and all claims sat	and all claims satisfied provisions of PCT Article 33(1)-(4)					\$	0.00		
Surcharge of \$130.00 fo months from the earliest	r furnishing th	e oath or de	claration later than 20	□ 30		\$	0.00		
months from the earliest CLAIMS	NUMBER	FILED	NUMBER EXTRA	RA					
Total Claims	20	-20 =	0	Х	\$18.00	\$	0.00		
Independent Claims	3	-3 =	0	X	\$84.00	S	0.00		
MULTIPLE DEPENDEN	T CLAIMS(S)	(if applicable	e) TOTAL OF AB	\$280		\$	0.00		
			IUIAL UP AD	ated above	LATIONS =				
Applicant claims sr	nall entity stat	us. See 37	CFR 1.27. The fees indic				0.00		
are reduced by 1/2					JBTOTAL =	\$	0.00		
Processing fee of \$130.0	00, for furnish	ing the Engli	sh Translation later than [	20 🗌 30			0.00		
months from the earliest	claimed prior	ity date (37	. P B 1 49/110.	OTAL NATIO	NAL FEE -	\$	0.00		
				ment must be	MALIEL -	Ť			
	-andiota cauca	CONDATING (	F.R. 1.21(h)). The assign F.R. 3.28, 3.31). <b>\$40.00</b>	Del Diopers	•	\$	40.00		
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					·	一	Charged	Š	
<ul> <li>a.  \( \times \) A check in the amount of \$40.00 to cover the above fees is enclosed.</li> <li>b.  \( \times \) Please charge my Deposit Account No. 14-1140 in the amount of \$ to cover the above fees.  A duplicate copy of this form is enclosed.</li> <li>c.  \( \times \) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.</li> <li>d.  \( \times \) The entire content of the foreign application(s), referred to in this application is/are hereby incorporated by reference in this application.</li> </ul>									
NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.									
SEND ALL CORRESPONDENCE TO:						- (	7		
NIXON & VANDERHYE P.C.  1100 North Glebe Road, 8 <sup>th</sup> Floor Arlington, Virginia 22201-4714  Arthur R. Crawford							1		-
Telephone: (703) 816-4	0000			NAME	1. Crawlord				
				25,327 REGISTI	RATION NUMB	ER	February : Date	20, 20	002

MC 22th



Nixon & Vandernye 1100 North Glebe Road 8th Floor Arlington, VA 22201-4714

CONFIRMATION NO. 8423
371 FORMALITIES LETTER
\*OC00000007666624\*

Date Mailed: 03/27/2002

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

• U.S. Basic National Fees

Priority Document

· Copy of IPE Report

- · Copy of references cited in ISR
- Copy of the International Application
- . Copy of the International Search Report
- Preliminary Amendments
- Request for Immediate Examination

DOCKETED

CLT/MATTER#_	35-224
MAIL DATE	3.27-02
FINAL DEADLINE	may 27, 200 2
DOCKETED BY	poly ms
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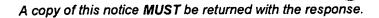
The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

• Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)



#### FRANCINE YOUNG

Telephone: (703) 305-3662

### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY, DOCKET NO.		
10/030,474	PCT/EP00/04675	35-224		

FORM PCT/DO/EO/905 (371 Formalities Notice)